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It must be added that the author's treatment of difficult questions of bankruptcy law is inadequate, and his opinions, when expressed on such questions, are not of great value. S. W.

THE LAW OF REAL PROPERTY and Other Interests in Land. By Herbert Thorndike Tiffany. St. Paul: Keefe-Davidson Co. 1903. 2 vols. pp. xxxiii, 1-828; xv, 829-1589. 8vo.

It has been well said that "in the present state of legal learning, a chief need is for books on special topics, chosen with a view, not to their utility as the subjects of convenient manuals, but to their place and importance in the general system of law. When such books have been written, it will then, for the first time, become possible to treat fully the great departments of the law, or even to construct a *corpus juris*." GRAY, RULE AGAINST PERPS., preface. How much the writer of the foregoing words has contributed through his own "books on special topics" to the possibility of treating fully one great department of the law, appears not only from Mr. Tiffany's own acknowledgment, but upon even a slight examination of the work before us.

Mr. Tiffany has produced a treatise upon the modern law of real property, but he has not neglected the earlier common law upon which the present system is based. To have omitted a consideration of the principles of that earlier law would have been to write a mere digest — and a very dry and unintelligible digest at that. On the other hand, the subject of the law of real property is so large that to examine and trace with minuteness its history and development would be far from serving the ends Mr. Tiffany has in view. Recent researches (especially the "History" of Pollock and Maitland) give to the author of the present day great advantages not within the reach of those who wrote before the publication of these latter-day discoveries. Mr. Tiffany has thus been enabled to treat the historical side simply, briefly, and consistently. His desire "to present, in moderate compass, the principles which govern the various branches of the law of land," and to produce a book which shall attract the student and also prove useful to the practising lawyer, seems to have been well accomplished. The student might wish that more space had been devoted to the discussion and weighing of opinions on contested questions, but this would be beyond the scope of the work.

It is often said that case-books are useless as tools to others than students who have studied them in their law-school courses. This statement can no longer be considered true as regards Professor Gray's Cases on Property and parts of Professor Ames's Cases on Trusts. A glance at the foot-notes on almost any page of Mr. Tiffany's book will show that the author has adopted the happy device of giving references to cases not only as they appear in the original reports, but also as they are reprinted in these case-books. Armed with Mr. Tiffany's work and with a few case-books, one might well feel that he had a small library of original authorities at his command.

The value of summaries and short statements of principles depends upon judicious selection and clearness and accuracy of expression. The student (and as a rule summaries are more useful to him than to the practitioner) will find the brief statements at the beginnings of chapters of much service in assisting him to a comprehensive view or review of the entire subject.

J. I. W.

A TREATISE ON EQUITY PLEADING AND PRACTICE, with Illustrative Forms and Precedents. By William Meade Fletcher, Professor of the Law of Equity Pleading and Practice in the Law School of Northwestern University. St. Paul: Keefe-Davidson Company. 1902. pp. xxxv, 1368. 8vo.

While the distinction between actions at law and suits in equity has been abolished in many of the states, in others the original forms of procedure, only slightly modified or simplified, are still in use, and in the federal courts throughout the country the English chancery system is in full force in all its

details. But in any jurisdiction, whatever the form of practice, there can be no clear understanding of the system of substantive equitable rights without an acquaintance with the system of forms and remedies by which these rights were enforced during the period of their origin and development, and by which their character was to so large an extent determined. The standard writers upon this subject have devoted themselves quite exclusively to equity pleading, paying little attention to that other closely allied topic, equity practice, which the present author considers at length. Many of the recent works have been either local in their character or given up almost entirely to the procedure in the federal courts. There is thus a real opportunity for a general modern treatise of the scope of the present book.

The author with considerable thoroughness and detail traces the entire course of proceedings in chancery, from the inception to the termination of the suit, according to the principles and procedure of the English chancery as they are administered in this country, uninfluenced by local modifications. Each stage of the several different phases that the suit may develop is carefully outlined, and illustrative forms or precedents are given at almost every step, though these forms are perhaps too commonly taken from local Illinois practice to be of very general usefulness. The chapter on parties is worthy of special mention, by way of example, as a well-analyzed treatment of a difficult and rather complicated subject. In the later part of the book the writer gives considerable attention to the different forms of bills, both original and supplemental, as they are classified from the point of view of procedure. Each different class of bills is treated in a separate chapter, and its essential characteristics are pointed out and distinguished. This part of the work appears to be of especial value.

A thorough collection of American citations and an appendix, containing the Ordinances of Chancellor Bacon and the rules of practice for the United States courts of equity, complete the volume. In this book Professor Fletcher has given us a well-planned, well-written, and practical treatise which deals with a complicated and highly developed subject in an interesting and thoughtful manner. It ought to prove a helpful assistant in the preparation and prosecution of suits in chancery in any jurisdiction.

W. H. H.

THE ENCYCLOPÆDIA OF EVIDENCE. Edited by Edgar W. Camp. Vol. I. Los Angeles: L. D. Powell Company. 1902. pp. 1020. 8vo.

At this time when encyclopædias of general law have amply justified themselves to the profession, it is interesting to note the appearance of the initial volume of an encyclopædia that is to confine itself to a single division of the law. The subject of Evidence, with which exclusively the new work is to deal, seems peculiarly deserving of this mode of treatment, since it extends so broadly into every field. The editor, Mr. Camp, has recognized the difficulty of handling the subject as a thing by itself, and he has therefore classified his material under the topics of the substantive law, indicating under each topic the various points that might possibly have an evidential bearing on it. He states in his preface that he has endeavored to include all the law of evidence — using the term in its broadest sense — and to exclude everything that would not generally be discussed in connection with that subject. To realize this latter object has been necessarily a delicate and trying task, and the work promises on completion to swell almost to the proportions of an encyclopædia of general law. Many topics are included which bear but slightly on Evidence. For example, under each crime are stated not only the several elements that constitute the crime, but also the various justifications and other defenses. However, as the prime requisite in a work of this kind is completeness, the presence of some seemingly irrelevant matter may well be pardoned.

Considering the purpose the work is designed to serve, it is wise that the editor has in general refrained from presenting original theories. Nor is it